2 Securing the *Naukar*

Caste and 'Domestics' in the Fifteenth-Century Mithila

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INTRODUCTION

The ways in which the social elites of the medieval period in India ensured a steady supply of essentially captive 'servants' in their households were based on a variety of historically constituted practices. Historians in recent times have paid some attention to the issue of slave labour and slavery in general.[1] Occasional observations concerning the status and the condition of 'servants' and personal attendants in the imperial and noble households have also been made.[2] With a few exceptions, however, these are: (a) based primarily on Persian materials and European travellers' accounts; and (b) concerned with royal and aristocratic establishments.

This is partly due to medievalists' near-exclusive dependence on Persian sources and their obsessive inclination towards state-centric histories of everything under the sun.[3] However, even when writing about the early

[1] See, for example, Gavin Hambly, 'Who Were the Chihilgani, the Forty Slaves of Sultan Shams al-Din Iltutmish of Delhi?' *Iran* 10, 1972, 57–62; Peter Jackson, 'The Mamluk Institution in Early Muslim India', *Journal of the Royal Asiatic Society* 122, no. 2, 1990, 40–58; Irfan Habib, 'Formation of the Sultanate Ruling Class of the Thirteenth Century', in *Medieval India I: Researches in the History of India, 1200–1750,* ed. Irfan Habib (Delhi: Oxford University Press, 1992), 1–21; and Sunil Kumar, 'When Slaves were Nobles: The Shamsi Bandagan in the Early Delhi Sultanate', *Studies in History* 10, no. 1, 1994, 23–52.

[2] Shireen Moosvi, 'The World of Labour in Mughal India (c.1500–1750)', *International Review of Social History* 56, supplement S19, 245–261.

[3] Those familiar with the modern historiography of thirteenth through to the fifteenth centuries and, to a lesser extent, the Mughal period (mid-sixteenth to mid-

historical and early medieval periods, historians did not often mention servants. This has led many to believe that the Sanskrit and 'vernacular' accounts do not offer any substantive account of them. Sometimes this has resulted in an assumption that practices of servitude were introduced in the Subcontinent by immigrant Muslims and had no foundation within Indic cultures. On closer examination, however, these views are revealed to be entirely false.[4]

If the non-Persian and non-European materials did not seem to speak to us about (un)free servitude for the longest time, it was because of the historians' inability to listen to them carefully. Thus, the challenge for current historians, trying to investigate the issue of domestic servitude, is methodological as much as it is about searching for 'appropriate sources' of information. That most elite households exploited the labour of servants

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eighteenth centuries) would know that, at least in the case of north India, almost all narratives tend to be woven around the institution of the state and are very often based on 'authentic' and 'authoritative' (read court-centric) Persian chronicles. This is in sharp contrast to both the earlier and the subsequent periods, in which the sources used are diverse and the themes dealt with much more varied. Some of the most highly regarded books on this period include Irfan Habib, *Agrarian System of Mughal India,* revised edn (New Delhi: Oxford University Press, 1999); Satish Chandra, *Parties and Politics at the Mughal Court, 1707–1740* (New Delhi: People's Publishing House, 1959); Peter Jackson, *The Delhi Sultanate: A Political and Military History* (Cambridge: Cambridge University Press, 1999); Muzaffar Alam and Sanjay Subrahmanyam, eds, *The Mughal State* (New Delhi: Oxford University Press, 1998); Sunil Kumar, *The Emergence of Delhi Sultanate* (Ranikhet: Permanent Black, 2008). Though these books represent very diverse trends in the historians' craft, it is not incidental that all of these 'classics' of medieval Indian history are based primarily, if not exclusively, on Persian sources, mostly court chronicles. As the titles of each of these books indicate, the primary theme is the working and/or institutions of the state.

[4] The regularity with which servants (*bhritya, preshya)* and slaves *(dasas* and *dasis)* are mentioned in ancient *dharmashastras such as Manava-Dharmashastra* (popularly known as *Manusmriti*) and even Vedic ritual compendia (e.g., *Grihyasutras*), as well as the early medieval dramas, is striking. The *Manusmriti*, for example, often mentions how the bhrityas should be treated on a variety of occasions—marriage, sacrifices, other ritual occasions or while receiving guests—even going to the extent of noting down the terrible consequences for 'relatives who live off a woman relative's slave girls!' See *Manava-Dharmashastra,* III: 52. For other references, see Ibid., III: 9, 116, 153; IV: 180, and passim. Servants are also found frequently in the plays written by Bhasa, Kalidas, Vishakhadatta and others.

within the domestic establishment is attested to profusely at least from the sixteenth century onwards in Persian and European accounts of the time.[5] However, my chapter focuses chiefly on the centuries before the eighteenth. It draws on Sanskrit and vernacular accounts to raise certain questions about domestic servants, especially about the historical conditions under which the exploitation of their un(der)paid labour was made possible. The theme is discussed primarily with reference to the varna/caste order, the patriarchal character of almost all power relations and politico-legal underpinnings—each of which has had a long history.

TERMS

One major methodological problem in researching these issues is the difficulty of finding one's way out of a maze of overlapping terms (Sanskrit, Persian, Arabic, etc.) that the sources throw at us when describing servants who were free or partly free or entirely 'unfree'. The most common word for a servant used in north Indian dialects today is the Persian *naukar* (Arabic *nukar*, Mongolian *nököd*). This was probably never used for 'servant' before the sixteenth century. However, its near synonym *chakar* (of uncertain origin) does appear as early as the thirteenth century in Mithila.[6] In the fifteenth century, chakar appears in Marwari accounts as well as in a Persian chronicle.[7] In the Persian *ta'rikh* literature, naukar seems to have been used as a generic term for an 'honourable' male servant, in the service of someone in authority. His vocation was thought to be fairly respectable and his legal status usually 'free'. Chakar, on the other hand,

[5] Moosvi, 'The World of Labour in Mughal India', 250.

[6] *Varnaratnakara of Jyotirishvara-Kavishekharacharya*, eds Suniti Kumar Chatterji and Babua Misra, in *Bibliotheca Indica*, Issue No. 1540 (new series), Work No. 262 (Calcutta: Royal Asiatic Society of Bengal, 1940), 69.

[7] For the references in the Marwari chronicles, see Norman P. Ziegler, 'Some Notes on Rajput Loyalties during the Mughal Period', in *Kingship and Authority in South Asia*, ed. John F. Richards (Madison: University of Wisconsin Madison, 1978). Among Persian chronicles, chakar is mentioned in *Waqiat-i Mushtaqi*. See Sunil Kumar, 'Bandagī and Naukarī: Studying Transitions in Political Culture and Service under the North Indian Sultanates, Thirteenth–Sixteenth Centuries', in *After Timur Left: Culture and Circulation in Fifteenth-Century North India*, ed. Francesca Orisini and Samira Sheikh (New Delhi: Oxford University Press, 2014), 99.

came to acquire a slightly different meaning. It seems to have been used for a minion of low social origin who was probably entirely dependent on as well as beholden to their master.[8] Significantly, a maid could also be referred to as a chakar. Other related words that are occasionally mentioned in Persian texts from the sixteenth century onwards include *khidmatgar* and *khawas*—both, significantly, referring to 'personal attendant'.

The Sanskrit words most commonly used for servants did not literally mean 'servant': shudra was the lowest of the four varnas, while *dasa* referred to a slave or unfree person attached to a master. Bhritya, the word that is most commonly used for 'servant', comes from the root *bhr*, meaning 'to support or sustain'. Thus, bhritya literally meant one who is supported by or dependent on (her/his master). This word also makes an occasional appearance, principally in the *dharmashastra*s, the so-called law books. Another near synonym, *chetti*—again invoking a personal attendant—is often found in plays. As we will see, our medieval interlocutors often used these words interchangeably, further complicating the matter for historians trying to excavate the precise taxonomy for the relations of servitude during the Middle Ages. However, what is strikingly common among almost all the terms that referred to workers under the larger umbrella of 'servant' is that they meant, literally, a figure attached to her/his master. Thus, in contrast to most of the modern service providers who are described in terms of either the service they provide or their institutional affiliation, the early references to the servants appear to be rooted within the matrix of *personal relationships* between them and their masters.

It appears that the domain of the domestic is no less difficult to define. While the household has been a point of reference from early historical times in India,[9] its spatial, social or ritual contours in the ancient times and the Middle Ages are not always easy to define.[10] While a household did exist in reality as well as conceptually, its boundaries were not demarcated. In noble and royal houses, the personal and private could shade into

[8] Kumar, '*Bandagī* and *Naukarī*', 75.

[9] Jaya Tyagi, *Engendering the Early Household: Brahmanical Precepts in the Early Gṛhyasūtras, Middle of the First Millennium BCE* (New Delhi: Orient Longman, 2008).

[10] Kumkum Roy, *Looking Within, Looking Without: Exploring Households in the Subcontinent Through Time; Essays in Memory of Nandita Prasad Sahai* (Delhi: Primus Books, 2015).

the public spaces without a distinct marker. It is instructive to note that *Manusmriti*, which is very particular about 'defining' every entity that it mentions, does not provide a definition of the 'family'. However, in the context of the family, the author of the most popular 'code of law' provides a list of people with whom one should never get into an argument; this list includes father, mother, sisters, brother, son, wife, daughter and slaves (*dasavargena*).[11] That the dharmashastric texts always refer to the family or the household of upper varnas and refer to servants and slaves as members of these families is interesting with regard to the way in which they conceive of the family itself.

CONDITIONS

As noted, right from the early centuries of the Common Era onwards, numerous dharmashastras insisted that the *shudradharma*, that is, the duty of the shudras, was to serve the upper varnas. *Manusmiriti*, for example, unambiguously remarks that the only (*ekameva*) permissible occupation for the shudras is service (*shushrusamanasuyaya*) to the other four varnas.[12]

From the fifteenth century through to the seventeenth century, a large corpus of Sanskrit texts that were exclusively devoted to elaborating the rituals for and the duties of the shudras emerged in different parts of north India.[13] It is striking that *Manusmriti* says very little about the shudras and is primarily interested in the duties and rights of the twice born (*dvija*s), chiefly brahmans. The texts on the conduct of the shudras (*shudrachara*), however, were more specific in their prescription of the tasks and rituals that the lowest of the four varnas were expected to perform to earn religious merit and secure salvation. They too were unanimous in the view 'that the dharma of a shudra is obedient service to the twice-born'.[14] This should not be taken to mean that all shudras everywhere served a dvija. Indeed, the very emergence of a large number of shudra castes, especially

[11] *Manava-Dharmashastra, IV: 180.*

[12] *Manava-Dharmashastra, I: 91.*

[13] A recent survey counts at least 49 such texts. See Theodore Benke, 'The *Śūdrācāraśiromaṇi* of Kṛṣṇa Śeṣa**:** A 16th Century Manual of Dharma for Śūdras' (Ph.D. diss., University of Pennsylvania, 2010).

[14] Ibid., 251.

from the fourth and fifth centuries of the Common Era, was a result of agrarian expansion and widespread peasantisation.[15] The dharmashastric injunctions did imply that the ideal occupation for a shudra was to serve a high-born. Thus, even a peasant of a shudra caste might actually be attached under specific conditions of servitude, variable across time and space, to a high-born person.[16]

Kamalakara Bhatta's early seventeenth-century treatise, *Shudrahnikam*, prescribing rituals for shudras, says that while performing rites for departed ancestors, a shudra should wish aloud that 'my father, who was the servant [dasa] of so and so, should stay satisfied'.[17] One can barely miss the default presumption here that a shudra's father had to be 'attached' to someone (presumably upper caste) as a dasa. The same presumption appears in a fairly similar context earlier in the sixteenth century, when Krishna Shesha exhorted the shudras to say aloud in course of a ritual that 'I will perform daily *shraddha* for my paternal grandfather, and paternal great-grandfather, of such-and-such gotra, servants of so-and-so, with their wives.'[18]

While these references do index the practice among the 'high-born' of keeping captive minions, it is still difficult to make out what functions these 'shudras/dasas' were expected to perform or what entitlements were applicable to them. For, never did either the prescriptive texts or the descriptive accounts from before the fourteenth century bothered to list that out. This is important in the way we understand the history of domestic servants in pre-modern times, as it could leave the sphere of the domestic servants' workload undefined beyond a generic prescription that their primary job was to serve the three upper varnas. Practically, this meant that there was no limit, either in terms of time or of tasks, that could be assigned to a shudra servant.

A somewhat substantive, if unexpected, source of information on these issues is a treatise on 'how to write letters and frame documents',

[15] R. S. Sharma, *Social Changes in Early Medieval India, circa A.D. 500–1200* (Delhi: People's Publishing House, 1969).

[16] See the 'Introduction' to this volume for details on this issue.

[17] Kamalakara Bhatta, *Shudrahnikam*, ed. Kaushal Panwar (Delhi: Vidyanidhi Prakashan, 2010), 57. All translations of passages from *Shudrahnikam* are mine.

[18] Benke, 'The *Śūdrācāraśiromaṇi* of Kṛṣṇa Śeṣa'.

entitled *Likhanavali*.[19] This text, probably first of its kind, was composed in the early fifteenth century by Vidyapati, a poet attached to the court of the chieftains of Mithila in north Bihar.[20] Vidyapati wrote *Likhanavali* following instructions of a ruler called Puraditya Girinarayana of Dronavara in the foothills of Nepal, part of the Mithila cultural zone at the time. The text is organised in four parts. The first three parts carry model letters as ideal examples of how to write to one's seniors, juniors and peers, respectively. In the fourth section entitled *vyavaharalikhanani* (literally, Rules of Conduct), the author provides examples of how to document business transactions. He does so for fictitious, but presumably most frequently occurring, transactions and provides minute details of these transactions, never naming the characters but specifying the terms and conditions.[21]

In order to accommodate as varied a set of examples as possible, he usually provides only one 'exemplary' document for each type of the envisaged transactions. It is remarkable, however, that, of the 31 documents in the fourth section, 6 (document numbers 55 to 60) deal directly with transactions that involve the sale/mortgage, under different conditions, of one or more shudra(s), whereas another (document number 84, the last one) mentions a transaction involving a shudra. Clearly, the author considered such transactions to be relatively frequent and possibly important and/or sensitive enough to merit such extended treatment.

The second document in this section records, in great detail, the sale of the family of a shudra man. This is one of the longest documents in the entire text and it is instructive to take a careful look at it:

> Siddhih. In the year two hundred and ninety-nine of the erstwhile King Shri Laxman Sendev in the tradition of the most revered kings, on Friday the fourteenth day of the bright moon in the month of Bhadra, accordingly when written numerically in the sequence of month, fortnight, date and day—Laxman

[19] See Vidyapati, *Likhanavali*, ed. Indrakant Jha (Patna: Indralay Prakashan, 1969).

[20] For details on this text and its possible inspiration from Persian tradition, see Chapter 3 in Pankaj Jha, *A Political History of Literature* (New Delhi: Oxford University Press, 2019).

[21] For the characters he uses the word *amuk, that is, 'so and so'*.

Era 299, Bhadra, bright moon, on 14th, the Friday.[22] Further, in the realm of the most revered, adorned with all due procedures, light of good deeds, King of all the three lords [namely] the lord of horses, the lord of elephants and the lord of men, served by thousands of kings, recipient of the grace of Khoda, lauded by panegyrics, Great Sultan Shah's subordinate, Shri so and so, with all due procedures, Narayana-like for the Kaṃsa enemies, committed to the devotion of Shiva, a man of character and light of good deeds, in his kingdom of Tirahuta, in the country of Ratnapura, subdivision of Migo and village Mimbra, Shri so and so Datta puts in his money for buying male and female shudras.[23] The recipient of this money, needy Ra-uta Shri so and so sold his slave [*dasam*] of Kevaṭa caste, forty-four years old, dark complexioned, named so and so for Rupees six silver ṭaṃkas, similarly his wife [i.e. the slave's wife who is] thirty years old and fair complexioned named so and so for four silver ṭaṃkas, similarly their son—sixteen years old and fair complexioned named so and so for three silver ṭaṃkas, and similarly their daughter, eight years old, dark complexioned named so and so,[24] to look after the cows and perform other duties[25] for the affluent one [i.e. the purchaser] for the duration of the moon and the sun [i.e. forever]. Hereby sold male and female shudras 4; sale amount 14. For the performance of miscellaneous duties, due from both parties—2 each. *At the residence of the affluent one, these shudras will plough the land, clear the left-overs, fetch water, carry the palanquin and perform all other chores. If ever they flee away, they will be brought back to slavery [*dasakarma*] with this deed as proof [of legitimate claim over them] even if they are hiding beneath the Royal throne.* Witnesses for the purpose are Devadatta, Yajñadatta, Vishnumitra, etc. and it was written by the Kayastha Shri so and so with permission of both parties. Payment due for writing, equally from both—1 silver ṭaṃka each. This is also the payment voucher for the sum of 14 silver ṭaṃkas as sale amount. Money received after due verification [for which] the witnesses are the same as for this deed.[26]

[22] It would be safe to assume that the dates given in these documents would also be largely imagined by the author, since the documents and the purported transactions themselves are imagined. However, it is striking that the years mentioned in the documents are approximately same as the estimated time period during which *Likhanavali* was composed, that is, c. 1420 CE, considering the fact that the Laxman Era started in the 1119th year of the Common Era.

[23] The compound term is *Shudrashudrikrayanartha.*

[24] No price for the eight-year-old daughter is mentioned. It was probably intended to be assumed that since the price for her father, mother and brother adds up to 13 silver ṭaṃkas, the price paid for her was 1 silver ṭaṃka only.

[25] The term is *gotragotranivarakam*.

[26] Vidyapati, *Likhanavali*, 42–43 (emphasis added). All English translations of the cited passages from *Likhanavali* are mine.

It is noteworthy that the document elaborately invokes the reigning rulers, both distant and immediate, along with their respective 'gods', before the actual transaction is described. This extended prefacing of the document as well as its assertion at the end that the sold shudras could not transgress the terms set *even if they are hiding beneath the Royal throne* alerts us to the official and state-sanctioned legitimacy of the transaction. Second, the tasks that might be assigned to the sold shudras are initially listed in remarkable detail only to be left perilously open in the end with the phrase 'and perform all other chores'. Thus, the slaves had to undertake any task assigned to them—whether inside or outside the 'house' of their owner. In fact, though the document states that the dasas will perform the tasks 'at the residence' of their masters, such tasks included regular outdoor work such as cultivating the land, fetching water and carrying palanquins. Significantly, the summary description of the tasks for these 'servants' uses the term *gotragotranivarakam*, literally 'to do work related to the cows and not related to the cows'. Furthermore, one cannot fail to notice the remarkable difference in the price of the male shudra and 'his wife'. It is striking that the author invokes a Muslim ruler Sultan Shah, 'recipient of the grace of Khoda', along with a local ruler, to mark a transaction that is clearly underwritten by varna norms. The reader is unlikely to fail to notice that while the purchaser is described in terms of his economic status (affluent one, the *dhanik*), the 'slave' who is being sold is described in terms of her/his (lack of) social status and in terms of her/his physical attributes and the materiality of her/his labour. Already, in the fifteenth century then, one may note the attempt to at least partially create a standardised typology of dependents by mentioning, for instance, the shades of their skin colour and 'de-humanise' those whose labour was exploited.[27]

[27] I am using the word 'de-humanise' in one of the two senses in which Karl Marx used it to describe the manner in which capitalism de-humanises labour by treating labour merely as an instrumentality and without regard to the fact that unlike other means of production, such as land or capital, labour is not just a material 'thing'. I am aware of the fact that Marx's use is applicable only in the 'modern' context of capital and its exploits. Hence, this disclaimer is to underline the fact that the term 'de-humanise' is meant to convey that the transaction deeds very often tend to refer to the dasas/shudras in terms of their potential for labour and with gross disregard to the fact that they are human beings.

It is interesting, on the other hand, that even in the next document, which records the sale of a shudra, the task specified is 'looking after cattle and doing other chores'.[28] In both cases, the validity of the sale is 'for the duration of the moon and the sun', that is, forever. This is significant when one considers the next document, which records a mortgage deed.

Another document records the mortgaging of a shudra by his owner for money, pointing to another practice that might have been common. After the usual flowery details about the ruler (adorned with all due procedures), and noting the time and place, the document continues:

> Ṭhakkura Shri Devadatta puts in his money into acquiring a mortgage on all-days basis.[29] The recipient of his money is Ra-uta Shri so and so. So and so has been mortgaged on all-days' arrangement, after giving the guarantee of so and so and receiving four silver ṭaṃkas in order to pay royal dues. Wherein the mortgaged person on all days' basis, without any clothes or provisions—1; Amount [paid] for mortgage—4 silver ṭaṃkas. At the affluent one's household, he [the mortgaged man] will carry loads, etc. [usually] carried by the shudras. If he does not do that, then by the [terms of] settlement, he will pay six *kakini*es[30] to the affluent one every day wherein the settlement completed—1.[31]

It may be noted that contrary to the sale deeds mentioned earlier, the terms of the mortgage deed are not as open-ended. Also significant is the fact that his limited entitlements to food and cloth are mentioned. The fact that the deed takes care specifically to mention that the mortgage would be valid on every day of the week is an indication that the mortgage conditions could vary. Indeed, another document (no. 59) in *Likhanavali* itself records a mortgage deed wherein the person concerned was expected to work for four days a week only.

[28] Vidyapati, *Likhanavali*, 44.

[29] The word is *sarvavaravyuḍhibandhakartha* (*sarva* = all; *vara* = day; *vyuḍhi* = arrangement or settlement; *bandhakartha* = for bonded [labour]). The implication of *sarvavara* is probably to specify that the person in question will be required to work for the investor not for specific days of the week/month, but on all occasions.

[30] *Kakini* stood for a quarter of a measure, usually of a *pana* which in turn referred to 80 cowries (shells) or a coin of equivalent value. In everyday usage, kakini could also stand for simply a cowrie.

[31] Vidyapati, *Likhanavali*, 45.

Another document recording a similar mortgage deed (of a shudra of kaivarta caste) specifies that 'as a servant of the patron, he will carry out all the tasks of a servant [dasa]'.[32] The language indicates that such mortgaging must have been very common—the deed assumed that the mortgaged person would have to do everything that all mortgaged persons were expected to do.

The last in this series of these documents records the sale of a woman of the shudra caste (a *shudri*). Interestingly, the said shudri is identified as a boatman's daughter and was sold by a Kayastha (presumably the boatman's owner). The purchaser is identified as an Upadhyaya (literally, a teacher), and it is specified that the shudri he is purchasing is to be married to another boatman's son owned by him (the teacher). Clearly, people from all the three higher varnas could 'own'/purchase/sell a shudra. The use of the term dasa (literally, a slave) clearly underlines the low respectability attached to the vocation of servants. It is probably no coincidence that *Varnaratnakara*, a late thirteenth century Maithili text, used the word chakar to refer to a household servant in a section devoted to eating/cooking.[33] A chakar—unlike naukar—was someone who lacked any independent standing or honour.[34]

It is also remarkable that the writer of the deeds was often identified as 'the Kayastha so and so', and paid very handsomely. Where an able-bodied adult was 'sold forever' for only four to six silver ṭaṃkas, it is amazing that the Kayastha pocketed two full silver ṭaṃkas, one each from both the seller and the purchaser, for simply inscribing the deed. Even if we discount for some exaggeration, this was a lot of money for the work done. It clearly underlines the importance attached to the writing of the document as also the scarcity of the skill required to do so.

[32] Ibid., 47.

[33] *Varnaratnakara*, 69. *Varnaratnakara* is a unique text in the history of vernacular texts of medieval India in as much as it was a compendium of words, phrases, parts of speech and (occasionally) full sentences that might be a ready reference book for writers. The words and other expressions are organised according to themes/occasions that are being described. The word chakar, for example, occurs in the context of a meal being served to a householder.

[34] This is the sense in which chakar figures in the sixteenth-century Persian *ta'rikh, Waqia't-i Mushtaqi.* See Kumar, 'Bandagī and Naukarī', 99.

The frequent and interchangeable use of the words shudra and dasa as well as their appearance in the context of a relationship that is clearly based on social bondage might appear confusing to a modern observer and requires explication. A comment by Yajñavalkya almost half a millennia earlier suggested that not all shudras were dasas, as the shudra varna included, among others, cowherds, sharecroppers, servants in the house of upper varna persons, and so on.[35] Krishna Shesha, on the other hand, mentions that 'by "*dasa*" is meant a servant from birth'.[36] Clearly, the implication here is that people were 'born into' the occupation of service to the upper varnas, just as people were born into other professions across the varna order. Repeatedly, in our sources, from the ancient through to the medieval period, it is noteworthy that the terms of reference for the servants always located them within a family and very often as an integral part of that family. However, the sale deeds also point to the fact that this incorporation into the family could be historicised, in terms of at least locating the process of the sale, the writing down of it, the role of 'witnesses' and attestations (of humans and gods), and a social sanctity attached to it, as evident from its inviolable nature (the runaways even hiding under the royal throne had to return). The 'sale' itself points to a set of other social processes: it could have happened because of distress (famines, etc.), and not least, it could also be a feature of *a* market, signifying that individuals and families sold themselves off to patrons and patrons too sold their dependents. The sale signified a traffic between family and market, based upon money, written deed and social sanctity.

This is built into the contexts in which they are described but also by the very terminologies in which they are denoted.

FAMILY AND FREEDOM

Yet, the question of the precise conditions under which the servants worked cannot be reduced to or fully comprehended through an excavation of the terminologies alone. The implied and contingent connotation of the relevant words can be accessed only by looking at the

[35] *Yajñavalkyasmriti*, I: 166.

[36] Benke, 'The *Śūdrācāraśiromaṇi* of Kṛṣṇa Śeṣa', 207.

historical context of the common and legal practice of what appears to be human trafficking. I examine this context from the limited vantage point of two questions: Were the shudra servants free or unfree? Were they part of the family of their owner, and if so, what rights did they enjoy as members?

The issue of freedom or unfreedom is a tricky one in the context of pre-modern times. Our reference point is the modern age, even as we seek to understand the pre-modern times. The nation-state has emerged in the modern age as the sole arbiter of these questions. Because the modern state enjoys a monopoly over legitimate coercion, and defines a person's free or unfree status with reference to a rule of law, it is easy to delude ourselves that the real unfreedom today exists only in the prisons. With no singular rule of law in the early-/pre-modern times, and multiple institutions exercising overlapping rights to different levels of coercion, it becomes very difficult to decide who enjoyed how much freedom. That is why it is probably more useful to think in terms of a spectrum of freedom and unfreedom rather than passing a summary judgement about the free/unfree status of particular individuals in specific relationships.[37]

The predicament of the shudra dasa was also inflected by their location within not just the household as a 'domestic servant' but also the family of her/his master. Even as the brahman authors of the Sanskrit *dharmashastra*s refrained from spelling out the dasa's entitlements, if any, they rarely stopped short of declaring that s/he was an integral part of the family. Again, the author of *Shudracharashiromani* asserted that a shudra

> should make ancestral offerings, support his dependents, provide for his wife, serve the upper castes, seek his livelihood from them, use their discarded shoes, umbrellas, clothes, mats, and the like, and eat their leftovers. He may

[37] In the context of a story by Patralekha, Chatterjee noted that 'slavery in the Sanskritic kavya or poetic traditions may have been conceptualized as a dialectic of captivity and transfers along a socially integrated continuum, as a dialectic between alienation and intimacy, not as a static problem of "un-freedom," coerced labor, "commodity," or "property"'. See Indrani Chatterjee, 'Renewed and Connected Histories: Slavery and the Historiography of South Asia', in *Slavery and South Asian History*, eds Indrani Chatterjee and Richard M. Eaton (Bloomington: Indiana University Press, 2006), 19.

also support himself by working as an artisan. The Arya whom he serves must also support him, even when he is infirm and unable to work….[38]

It is interesting that the position of the shudra is marked here, even when he is not expressly employed as a servant, as that of someone who must 'seek his livelihood from the upper varnas and eat their leftovers' and so on. As the attempt to 'de-humanise' the shudra resurfaces in this document, we also notice the (ostensibly) opposite in the injunction that his exploiter must 'support him even when he is infirm and unable to work'.[39] Clearly, the exploitative power relation between the master and the servant was not based solely on a legal contract but primarily on a *dharmashastra*-driven ethical code. Yet, deeply entrenched social hierarchies of varna-caste regime as well as precepts about the integrity of the family (*kutumba*) created its own tensions in this relationship. On the one hand, this meant that there was no end or limit to the tasks that could be assigned to the servant.[40] It was, among other things, also through articulations of 'affect' and an emotional regime of power that this social hierarchy was to be further secured. On the other hand, this also spelt out a minimal responsibility on the part of the exploiter to 'take care' of the servant even when he was infirm or too old to work or both. It was another matter that such injunctions were never accompanied by any legal/ethical

[38] Benke, 'The *Śūdrācāraśiromaṇi* of Kṛṣṇa Śeṣa', 109. It is to be noted that while the man of the household to which the shudra is attached is encouraged to provide for his servant even if the latter 'is infirm and unable to work', such provision could not be claimed as a matter of right by the shudra.

[39] It makes for an interesting contrast with the modern practice of employing a wage labour. As Nitin Sinha notes in his contribution to this volume, in England in the eighteenth century, for example, 'the "contract of employment" did not mean reciprocal relationship between masters and servants. On the contrary, the nineteenth-century model of master and servant not only brought workers under the penal control but also diluted the master's traditional obligation to care, in which the master was duty-bound to maintain his servant even when the latter was without employment.' Sinha cites two of Simon Deakin's articles in this context (see Chapter 8, n. 9).

[40] Yet, as the chapter in this volume by Sajjad Alam Rizvi notes that, roughly around the same time period (fifteenth to seventeenth centuries), in the ethical (*akhlaqi*) and juridical (*fatawa*) literature in the Persian–Islamic tradition, the tasks of a servant came to be defined a little more precisely. The Sanskrit literary traditions, though overlapping, strike a contrast in this respect.

admonitions about what would happen if a master failed to follow this precept and did not fulfil his ethical obligations.

References in *Shudrahnikam* are no less instructive. Though the text was meant to prescribe rituals for shudras only, in several places it also details what a (presumably non-shudra) householder must observe. The context suggests that the author addressed these themes because some of the rituals for a shudra could only be performed by the person he served. Thus, Kamalakara Bhatta describes a ritual to be performed with 'drawn [*udhriten*] water' and goes on to say that the rite should be observed 'on Sundays at home by those with sons' (*putravanakarya saptamya ravivare ca grihe*), adding that it should be done for 'servants, sons and the wife' (*bhrityaputrakalatrartha*).[41] Again, a more direct 'evidence' of the servant ideally being considered a member of the family is provided by Krishna Shesha. Commenting on an injunction from *Manusmriti* ('if a Vaishya or a shudra comes to his house, the latter should feed them with the family'), he explains that the 'family means members of the household and/or servants'.[42] One important fall out, obvious but never commented upon, of the insistence that the servant was an integral part of the family was that he could easily be a target of both affective overtures as a placatory force and coercive measures (including physical violence) as a punitive move. For, what happened within family, by tradition though not always by 'law', was held to be nobody else's business other than those in the family. This further confirms the contention, noted above, that insistence on the 'family member status' of the servant worked in contradictory ways for her/him.

It was because of the servant's status as a family member that, irrespective of his caste, he had to follow the 'same purity rules as the master on a birth or death'.[43] Similarly, if a brahman was visiting another household along with his family, the servants (of the brahman) had to be fed before the householder could himself eat.[44] Beyond these ritual and somewhat notional claims, it is not easy to make out what concrete or material privileges the bhritya (servant) could claim on account of his

[41] Bhatta, *Shudrahnikam, 57.*

[42] Benke, 'The *Śūdrācāraśiromaṇi* of Kṛṣṇa Śeṣa', 202.

[43] Ibid., 217.

[44] Ibid., 204. Krishna Shesha seems to have borrowed this precept from *Manava-Dharmashastra. See Manava-Dharmashastra*, III: 116.

status as a member of his owner's family. The injunction, cited above, that the servant must be supported by his Arya master 'even if the former is infirm' might have been the only possible, though not mandatory, benefit for them.

It is interesting that a distinct but comparable phenomenon might be located within traditions of military slavery under the Delhi Sultanate. As Sunil Kumar argued long ago, it was grooming of the purchased slaves into, among other things, filial emotions of personal bonding with the owner that paved the way for the *banda* to qualify for service outside the household. It was through the slave's long period of service and slow upward mobility that his owner-sultan developed sufficient confidence in him and entrusted him with greater military/administrative responsibilities.[45]

It might be equally useful, methodologically, to look elsewhere for an understanding of the domestic servant's position within the family. Let us examine a popular legend associated with the fifteenth-century brahman poet from Mithila, Vidyapati. The apocryphal story, probably dateable to the seventeenth century, has it that Lord Shiva was so impressed by, and enamoured of, his devotee Vidyapati that he chose to serve the brahman as a domestic servant or khawas after presenting himself to the brahman householder as Ugana.[46] It so happened once that Vidyapati was lost in the forests with only Ugana for company. Feeling thirsty, he asked Ugana to fetch water for him. Finding no source of water anywhere in the forest, Ugana surreptitiously assumed his original form, collected some Ganga-water from his own tresses and reappeared before his brahman master with the same. On tasting this water, Vidyapati immediately recognised it as the water of the holy river and got very suspicious of his servant's identity. When the latter feigned ignorance about the whole matter, Vidyapati

[45] For a discussion of the significance and history of the dyadic and 'filial' relationship between the slave and the master within the Persianate context, see Kumar, 'When Slaves were Nobles', 42–43.

[46] It is interesting that this Persian word *khawaṣ* was/is most commonly used in Mithila while describing the status of Ugana in Vidyapati's household. It is still a common term in Maithili to refer to a personal attendant. A khawas always ritually accompanies the bridegroom when, on the occasion of his marriage, the latter visits the would-be bride's family with his male friends and family members.

threatened to abandon him. Ugana then revealed his real identity but insisted that he would stay as Vidyapati's attendant as long as he did not reveal their secret to anyone else. A little later, Vidyapati found his wife annoyed with their celestial servant. In a fit of anger, she charged towards Ugana, ready to beat him with a piece of wood; Vidyapati had to reveal the real identity of the khawas in order to stop her.

One might be advised to exercise caution while using what is essentially a myth to understand 'realities' of past. Yet myths and legends are meaningful to their creators and consumers only to the extent that they are securely anchored in the perceived truths of their own time.[47] The story of Ugana is instructive at many different levels. The fact that Vidyapati had to reveal the servant's real identity to stop him from being beaten up means that such violence was taken to be within the regular order of things and hence not unusual. At the same time, the tale would evoke wonder among its listeners because of the inversion of the lord–servant relationship. For, one of the more commonly used words for the domestic servant, dasa, was also often used by devotees both before and within the bhakti tradition in the Subcontinent. From the famous poet Kalidas through to Raidas and Tulsidas to Keshavdas, numerous historical figures assumed the epithet of dasa to signal their single-minded devotion to their celestial lords.

A similar phenomenon might be seen within the Persian-Islamicate traditions of the Subcontinent. The Mughal ruler Akbar liked to call his household servants *chela*s, a term yogis commonly used to refer to young disciples.[48] Even as the purchased slaves of Sultanate were called *bandagan* (singular, banda), the disciples of the Sufi saints took pride in calling themselves a banda of their *pir*s (holy men). Thus, Mirza Nathan described himself as a *murid-i bandagi* (faithful disciple) of Shaikh Farid

[47] As the authors of *Textures of Time* asserted, '…and great historians are open to that dimension of reality that we call "myth", in the sense of being more deeply saturated with meaningfulness and also more creative of the reality that they purport to describe than are other expressive modes'. See V. N. Rao, David Shulman and Sanjay Subrahmanyam, eds, *Textures of Time: Writing History in South India, 1600–1800* (Delhi: Permanent Black, 2003), 11.

[48] Muzaffar Alam, *The Languages of Political Islam in India* (Ranikhet: Permanent Black, 2004), 94.

al-Din Ganj-i Shakar (d. 1265).[49] These examples might be multiplied. To Amir Khusrau and Hasan Sijzi as much as to Kabirdas and Tulsidas, a declaration of one's ostensibly 'unfree' status as banda/dasa carried emancipatory possibilities.

As Daud Ali noted, 'Slave-status terminology, therefore, is often particularly difficult to understand, as it functioned both as a marker of subordination and as a language of distinction.'[50] The semantic shifts and confusions, as noted above, between mystical dasa/banda and the domestic servants referred to by the same terms might actually index concrete differences as well as deeper overlap. The wily brahmans might have hoped that their domestic minions would also see the prospects of their salvation in what was essentially their position of bondage within the household. Yet, we should not lose sight of the fact that Sufis devoted to *bandagi* or the dasas of the bhakti tradition elected their virtual status as unfree whereas the domestic servants and the *ghulam*s had no choice.

A letter in *Likhanavali* purportedly written by an upper-caste man to his brother might help us see the other end of the spectrum of possibilities within the relations of servitude:

> May it be well. To the most adorable elder brother, a tree-like resting place for affection and care, comparable to father, Ṭhakkura Shri so and so goes this letter from so and so village, by Shri so and so conveying a hundred salutations. By the boundless affection of the respectable brother's feet, all is well here. [I] wish all is well there [too]. Matter is that I cannot disobey the order you gave to free the fettered shudra even though he wishes harm [to me] and even though I had tied him up in great anger and with a purpose,[51] hence he was freed the moment I saw your writing. So, therefore, [kindly] do not renounce the flow of affection towards my ever obedient self.[52]

Clearly, the tone of the letter suggests that the use of physical force on, and even forcible incarceration of, a shudra minion was not unusual.

[49] Richard Eaton, *The Rise of Islam and the Bengal Frontier, 1204–1760* (Berkeley: University of California Press, 1993), 175.

[50] Daud Ali, 'War, Servitude, and the Imperial Household', in *Slavery & South Asian History, 45.*

[51] *karyatayacabaddhaḥ*

[52] Vidyapati, *Likhanavali, 6.*

CONCLUDING REMARKS

Notwithstanding the rather tentative tone of this chapter, one might still make a few points with a fair degree of certainty. First and foremost, the history of servants during the early modern, medieval or, for that matter, during the ancient period in north India cannot be understood without simultaneously writing the history of varna and caste as a mutually reinforcing but dynamic institution of ritual (im)purity, occupational diversity and social hierarchy caught within a criss-crossing network of ethical codes, 'legal' regimes and socially embedded practices. Both the very semantics in which the practices of servitude are described as well as the differential obligations prescribed for different castes indicate beyond doubt that historians cannot begin to understand the servants' pasts without at the same time looking at the regime of varna/caste not just as an enabling one that helped secure a steady supply of servants for the upper varnas but also as the very basis of power that gave the master–servant relations their unique texture.

Second, it is useful to study the institution of family within the Sanskrit literary ecumene beyond the study of *Grihyasutra*s and with reference also to the ways in which the ritual structure of the family might have been related to, or reinforced, relations of power within it. For, it was within the family that the worst excesses with regard to servants were to be legitimated. In a related context, it is equally important to understand the emotional/affective regimes within which 'de-humanised' labour was re-humanised and reclaimed. The emotional template of familial ties could help camouflage an essentially exploitative relationship within a discourse that might have been apparently underwritten by the state, as the documents of *Likhanavali* suggested. Yet, there were no reported instances of the state directly intervening in a matter where an absconding or recalcitrant servant had to be chastised or brought back. As the young man writing to his elder brother about the shudra he had put in fetters indicated, as far as the beneficiaries of the varna-sanctioned service regime were concerned, they literally had the law in their own hands. After all, it was a matter that remained within the family. As Sajjad Alam Rizvi's chapter in this volume indicates, this might have started to change, with the state beginning to play a direct role in arbitrating on these matters, as

we move into the power corridors of the Mughal state. Even though some of the sources I examined in this chapter are also from this period, they did not reveal the same level of state's involvement, partly because these sources refer to temporally overlapping but socially non-identical situations, and also because they reflect different ecumenical and literary traditions. This should also alert us to the fact that it is of critical significance to understand the burden of the literary culture that each text carries, before we can begin to mine these sources for relevant facts and ideas.